Application for Encroachment Agreement
2 Oakwood Avenue

Date: August 23, 2007
To: Etobicoke York Community Council
From: Curtis Sealock, District Manager, Municipal Licensing and Standards
Wards: Ward 17, Davenport
Reference Number: Folder Number: 07 143528 RAW 00 IR

SUMMARY

To report on an encroachment application, submitted by the owner’s agent, Daniels Parkside Corporation to maintain existing and proposed encroachments.

The encroachments involve the existing bay window and foundation wall and the proposed roof re-construction, involving an eaves overhang, and the proposed construction of a concrete landing and stairs leading to the building entrance, all projecting into the Oakwood Avenue Road Allowance.

The Etobicoke York Community Council has delegated authority from City Council to make a final decision for this matter.

RECOMMENDATIONS

Municipal Licensing and Standards recommends that the Etobicoke York Community Council approve the application for the existing and the proposed encroachments on the Oakwood Avenue road allowance, subject to the following conditions:

1. the City Solicitor to be authorized to prepare an Encroachment Agreement for the existing and proposed encroachments, Attachments 2, 3 and 4;

2. the owner to return the signed agreement to the City along with the required Certificate of Insurance, evidencing a third party bodily and property damage
insurance in the amount of $2,000,000.00 or such other coverage and greater amount as the City may require, and naming the City of Toronto as an additional insured party under the policy, and should an annual fee be required in the future the applicant shall be subject to said fee;

3. to renew the said Certificate of Insurance and submit a copy thereof to Municipal Licensing and Standards on an annual basis for the life of the encroachments;

4. to repair and maintain in good condition, at all times, the encroaching elements including the bay window, foundation wall, concrete landing and stairs leading to the entrance, as well as the roof components of the eaves overhang, and carry out all necessary precautionary measures to avoid roof drainage from being discharged on the sidewalk, causing loss, damage or injury, Attachments 2, 3, 4, 6 and 7; and

5. to comply at all times with the regulations set out in the former Chapter 313 of the Former City of Toronto Municipal Code, Streets and Sidewalks, as amended.

Financial Impact

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

The property is located at the northwest corner of Oakwood Avenue and Davenport Road. The bay window and foundation wall are encroaching by approximately 0.17 of a metre on the Oakwood Avenue road allowance. The roof eaves overhang will project 0.51 of a metre into the Oakwood Avenue road allowance. The proposed concrete entrance walkway, landing and stairs will project 1.66 metres into the Oakwood Avenue road allowance, Attachments 1, 2, 3, 4, 5, 6 and 7;

This application will permit the owner to maintain the existing and proposed encroachments, subject to entering into an Encroachment Agreement the City of Toronto.

COMMENTS

This application was circulated to Transportation Services, Urban Forestry Services, Toronto Fire Services and various utility companies for comments, with no negative responses being received.
CONTACT

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SIGNATURE

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Curtis Sealock, District Manager
Etobicoke York District
Municipal Licensing and Standards

ATTACHMENTS

Attachment 1: Plot Plan
Attachment 2: Basement Plan showing the encroaching bay window and foundation wall
Attachment 3: South Elevation showing the eaves overhang and the foundation encroachments
Attachment 4: Front Entrance Plan
Attachment 5: Photograph of the dwelling
Attachment 6: Photograph of the dwelling
Attachment 1: Plot Plan

Staff report for action on an Application for an Encroachment Agreement for 2 Oakwood Avenue
Attachment 2: Basement Plan showing the encroaching bay window and the foundation wall

Staff report for action on an Application for an Encroachment Agreement for 2 Oakwood Avenue
Attachment 3: South Elevation showing the eaves overhang and the foundation encroachments
Attachment 4: Front entrance Plan

Staff report for action on an Application for an Encroachment Agreement for 2 Oakwood Avenue
Attachment 5: Photograph looking north on Oakwood Avenue
Showing the foundation wall and front entrance encroachment

Staff report for action on an Application for an Encroachment Agreement for 2 Oakwood Avenue
Attachment 6: Photograph looking south on Oakwood Avenue
Showing the foundation wall front entrance and roof encroachments